

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JOSEPH JESNER, et al. :  
Plaintiffs, : Case No. CV 06 3869 (NG) (VVP)  
-against- :  
ARAB BANK, PLC, :  
Defendant. :  
\_\_\_\_\_

Pursuant to Rule 15(d) of the Federal Rules of Civil Procedure and the Stipulated Order dated May 22, 2009 permitting Plaintiffs to add Elisheva and Moshe Moskovitz, Gideon Zilberstein, Toni, Yinon, and Lior Buda, and Dikla Yifrach (the “Additional Plaintiffs”) as plaintiffs in this action, Plaintiffs file this Supplemental Complaint. In addition to the parties and claims already alleged, the Additional Plaintiffs, by their attorneys, allege the following upon information and belief:

**THE ADDITIONAL PLAINTIFFS**

**August 9, 2001:** A Hamas suicide bomber (Izz al-Din Shuheil Ahmed al-Masri) blew himself up at the Sbarro pizzeria restaurant located on the corner of King George Street and Jaffa Road in the center of Jerusalem. 15 Israelis were killed including, Mordechai Schijveschuurder, 43, Tzira Schijveschuurder, 41, Ra’aya Schijveschuurder, 14, Avraham Schijveschuurder, 4, and Chemda Schijveschuurder. Mordechai’s sister, Elisheva Moskovitz, and her husband, Moshe, who are now the legal guardians of several of Mordechai’s children and raising them in place of their deceased parents, also join as Plaintiffs for the wrongful deaths.

**October 4, 2003:** A PIJ suicide bomber (Hanadi Tayseer Jaradat) blew herself up at the popular Maxim Restaurant in Haifa. 21 Israelis were killed, including Lydia Zilberstein. Lydia died from her injuries after four days of suffering when stomach surgery and surgeries to remove shrapnel from her spinal chord and elsewhere could not save her life. Among the 51 injured by the bombing were Lydia’s husband, Gideon, and two of her children, Ran and Chaya, all of whom were present and enjoying a family meal prior to the attack. Gideon suffered severe shrapnel injuries all over his body, including permanent damage to his ear, that required several operations. He joins as a Plaintiff for his injuries as well as the wrongful death of his wife.

**January 7, 2005:** Ariel Buda was shot in the head by a Palestinian terrorist while at the Ariel Junction. He died from his wounds 9 months later. Two others were injured and one other

Israeli was killed in the attack. Ariel's mother, Toni Buda, and three siblings, Yinon and Lior Buda and Dikla Yifrach, join as Plaintiffs for Ariel's wrongful death.

**INCORPORATION OF ALLEGATIONS AND CLAIMS FOR RELIEF**

1. These Additional Plaintiffs expressly incorporate herein by reference the allegations and claims made in paragraphs 1-8 and 10-288 of the First Amended Complaint filed on or about May 4, 2009 in the above-captioned matter.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray that this Court:

- a) Accept jurisdiction over these claims;
- b) Enter judgment against Arab Bank and in favor of Plaintiffs for all compensatory and other damages in such amounts for each named Plaintiff as are allowed by applicable law and as shall be determined at trial;
- c) Enter judgment against Arab Bank and in favor of Plaintiffs for treble damages or other exemplary or punitive damages;
- d) Enter judgment against Arab Bank and in favor of Plaintiffs for any and all costs sustained in connection with the prosecution of this action, including attorneys' fees;
- e) Order any such equitable relief to which Plaintiffs might be entitled; and
- f) Grant such other and further relief as the interests of justice may require, including leave to amend this complaint, so as to permit justice to be served on behalf of each Plaintiff against Defendant as are or may be hereafter named herein.

PLAINTIFFS DEMAND A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

Dated: May 27, 2009

**SAYLES WERBNER P.C.**

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 27, 2009, the foregoing document was served in accordance with the Federal Rules of Civil Procedure and/or the Eastern District's Rules on Electronic Service upon the following parties and participants:

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